

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(Southern Division)

MARIA N. ABREU,
Plaintiff,

v.

COUNTRYWIDE BANK, FSB, et al.,
Defendants.

Civil Action No. 8:08-cv-02635-RWT

* * * * *

**OPPOSITION TO PLAINTIFF'S MOTION THAT JUDICIAL
NOTICE BE TAKEN OF COMPLAINT FILED JUNE 2009
BY THE SECURITIES AND EXCHANGE COMMISSION**

Defendants Countywide Bank, FSB, Countrywide Home Loans, Inc., and Bank of America Corporation ("Defendants"), by their attorneys, hereby oppose the Motion That Judicial Notice be Taken of Complaint filed June 2009 by the Securities and Exchange Commission (the "Motion for Judicial Notice") filed by Plaintiff Maria Abreu ("Plaintiff"), and state as follows:

1. In the Motion for Judicial Notice, Plaintiff requests that the Court take judicial notice of a Complaint filed by the Securities and Exchange Commission (the "SEC") against three former executives of Countrywide Financial Corporation.

2. The SEC complaint is irrelevant to the claim brought by Plaintiff and has no probative value with respect to any pending motion. Plaintiff has made no attempt in her Motion for Judicial Notice to explain how the SEC complaint has any bearing on her claim or her Opposition to the Defendants' Motion to Dismiss, or in the Alternative, for Summary Judgment.

3. Moreover, none of the allegations in the SEC complaint have been proven. As such, the SEC complaint does not constitute “adjudicative facts” capable of judicial notice pursuant to Federal Rule of Evidence 201.

WHEREFORE, for the reasons stated herein, Defendants request that the Court deny Plaintiff’s Motion That Judicial Notice be Taken of Complaint Filed June 2009 by the Securities and Exchange Commission.

Respectfully submitted,

/s/ Glenn A. Cline

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Countrywide Home Loans, Inc. and
Bank of America Corporation

CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of June, 2009 a copy of the foregoing Opposition to Plaintiff's Motion That Judicial Notice be Taken of Complaint Filed June 2009 By the Securities and Exchange Commission was electronically filed and delivered to:

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/s/ Glenn A. Cline
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